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17 Attorneys for Defendant Gilroy Construction, Inc.

18 UNITED STATES DISTRICT COURT  
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

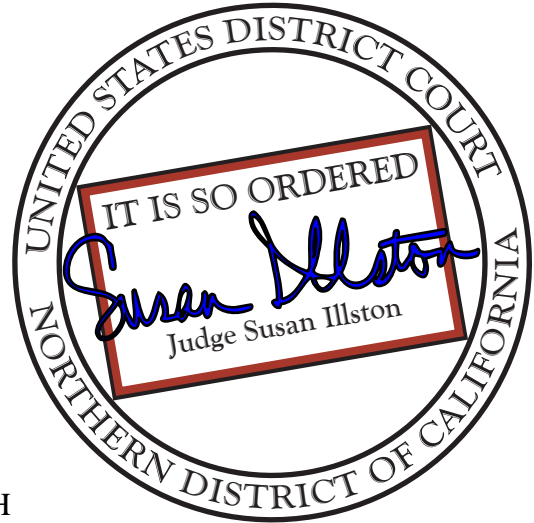
20 F.G. CROSTHWAITE and RUSSELL E.  
BURNS, in their respective capacities as  
21 Trustees of the OPERATING ENGINEERS'  
HEALTH AND WELFARE TRUST FUND, et  
22 al.,

23 Plaintiffs,

24 vs.

25 GIACALONE ELECTRICAL SERVICES,  
INC., et al.,

26 Defendants.  
27



Case No.: C12-6178 SI

**DISMISSAL OF DEFENDANT  
GIACALONE DESIGN SERVICES,  
INC. PURSUANT TO STIPULATION**

1 Pursuant to Fed. R. Civ. Proc. Rule 41(a)(1)(A)(ii), all appearing parties stipulate as  
2 follows:

3 Plaintiffs F.G. CROSTHWAITE and RUSSELL E. BURNS, in their respective capacities  
4 as Trustees of the OPERATING ENGINEERS' HEALTH AND WELFARE TRUST FUND, et al.  
5 and Defendants GIACALONE DESIGN SERVICES, INC. and GILROY CONSTRUCTION,  
6 INC., hereby stipulate to the voluntarily dismissal without prejudice of Defendant GIACALONE  
7 DESIGN SERVICES, INC. Plaintiffs have not previously filed or dismissed any similar action  
8 against said Defendant. Default has been entered against Defendant GIACALONE  
9 ELECTRICAL SERVICES, INC. since it did not appear in this action.

10 IT IS SO STIPULATED.

11 DATED: November 8, 2013

Saltzman & Johnson Law Corporation

12  
13 By: \_\_\_\_\_ /s/  
14 Shaamini A. Babu  
15 Attorney For Plaintiffs  
16 Operating Engineers' Health And Welfare Trust Fund,  
et al.; F.G. Crosthwaite and Russell E. Burns, As  
Trustees

17 DATED: November 8, 2013

Law Offices Of Charley M. Stoll

18  
19 By: \_\_\_\_\_ /s/  
20 Charley M. Stoll  
21 Attorney For Defendant  
22 Giacalone Design Services, Inc.

23 DATED: November 8, 2013

SWEENEY, MASON, WILSON & BOSOMWORTH

24  
25 By: \_\_\_\_\_ /s/  
26 Roger M. Mason, Esq  
27 Attorney For Defendant  
28 Gilroy Construction, Inc.

2  
STIPULATION FOR DISMISSAL  
CASE NO. C12-6178 SI